

EXHIBIT C

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MASSACHUSETTS

LEAH BASSETT,
Plaintiff

vs.

CIVIL ACTION
No. 18-cv-10576-PBS

MONICA JENSEN, d/b/a NICA NOELLE;
JON BLITT, personally and d/b/a MILE
HIGH MEDIA, d/b/a ICON MALE;
d/b/a TRANSENSUAL;
MILE HIGH DISTRIBUTION, INC.;
ET ALS
Defendants

AFFIDAVIT OF LEAH BASSETT

The above-named Plaintiff, Leah Bassett, hereby submits this Affidavit in connection with the pending Cross-Motions for Summary Judgment for the threefold purpose of:

- (A.) Providing a chronology of some of the more pertinent events in a more centralized manner than they may appear in my various pleadings and Discovery responses;
- (B.) Supporting specific factual claims asserted in my Cross-Motion for Summary Judgment; and
- (C.) Refuting specific factual claims asserted in Defendants' Motion for Summary Judgment.

Part I General Chronology re My Vineyard Residency and Home Acquisition

[1.] I am presently 45 years old and a life-long resident of Martha's Vineyard, save for the usual periodic absences for college, travel, work assignments, and more recently, my relationship and marriage to a non-US citizen who resides, works, and co-parents a school-aged child on the Island of Antigua.

[2.] I graduated from Martha's Vineyard Regional High School, and subsequently graduated from the Rhode Island School of Design with a bachelor's degree in Fine Arts.

[3.] I acquired ownership of the property now know as 7 Skye Lane, Aquinnah, MA by deed, dated August 11, 1986, from my maternal grandparents as a gift. They made a simultaneous transfer of an adjoining lot to my sister and only sibling, Meadow. Both lots were undeveloped woodlands at the time.

[4.] My long-divorced parents, Gordon (Tod) Bassett and Barbara Bassett, also each reside on lots that they own respectively on Skye Lane that abut my lot. One of those homes, now occupied by my father and my stepmother, Lee Taylor, is the home where I resided from my infancy to adulthood. The other home, now occupied by my mother, was built while I was still a child. I periodically reside there when my house is rented during the summer months. My father, a licensed general contractor and carpenter, built both homes. He also built Meadow's home within the past decade. My Aunt owns land abutting both my father and mother's lots. My father built her home when I was a child. My cousin owns land abutting my sister's lot. He hasn't built on that lot yet. Our family has owned and occupied this land for generations. We are a tight-knit family. I have never considered selling my property. I have always planned to live there for my entire lifetime.

[5.] I started the process of building my own home in 2003, treating it as a "hands on" project in recognition that it was likely to be my life-long permanent home as well as my largest asset in all likelihood; the continuing presence of my immediate and extended family members in Aquinnah and other Vineyard towns; and the very pragmatic reality of my financial situation at the time. I designed the style and structure of the home myself, drafting all of the floor, elevation, lighting and cabinet plans, while consulting with my father as to the more "civil engineering and materials" elements. I dealt with a deed-related land use dispute with my only non-family member abutter (whose property did not border Skye Lane), albeit with some legal advice and assistance from my "uncle", John Taylor. I assisted my father, who acted as the licensed general contractor, as well as my several other sub-contractor relatives and friends, in the physical construction of my home. Of course, I also dealt with the financial issues and costs, including the necessity of securing a substantial loan and mortgage from a Vineyard-based bank, which loan remains outstanding as one of my monthly expenses. The exterior of my home was completed circa 2005, but it took me more than a year to complete the interior of the home, and largely because I did most of that work myself. I painted the walls; tiled the floor; installed and stained the wood trim; sanded and stained the cabinets and closets; dug out parts of the earthen foundation floor; installed the radiant heating system; researched and purchased all of the interior functioning and decorative elements, purchased or refurbished the furniture; and purchased or received as "house-warming" gifts from artist friends, or created myself most of the artwork and other decorative items that became "part of my home". Those interior decorating tasks were completed in early-2007. Constructing my home was a true labor of love, made complete with my "blood, sweat, and tears", and too many joyful memories to count.

[6.] With respect to the issue raised by the Defendants as to "who designed and built the fireplace façade?" I designed it myself, and built it in conjunction with my then boyfriend Eben Armer. I attach as Exhibit A, two of the hand-drawn sketches that I made circa 2005-06 as to how I wanted the stone façade to look, and as Exhibit B, an affidavit that Eben was happy to provide at my request as to that issue. Neither he nor I believe that my father witnessed the building of that façade. Nor do I recall discussing the design or construction details with my father as he was involved in another building project elsewhere by that point.

Part II. General Chronology re My Home Usage Versus Rental Usage

[7.] I have never owned any real estate besides my present home, and so my only experience as a landlord comes from periodically renting out my home, which I have done out of financial necessity due to my still outstanding "construction" mortgage, and the high real estate taxes, property insurance, and other abnormally high expenses associated with someone of blue collar origins living on the Island of Martha's Vineyard.

[8.] I started renting it out during the summer months of 2007, which was the year that the interior became finished and fully furnished. I have rented it for portions of every Summer since then, typically on the basis of short-term one-to-two week rentals. The demand for a house in as remote a locale on the Vineyard as mine has made it uncertain from year to year as to how many rentals I have gotten during the months of June thru September, coupled with the fact that I have wanted to stay there myself in June and September some years rather than seeking alternative living quarters for myself.

[9.] There were only two instances prior to 2014 when I rented my house for a portion of the "off season" months. I left the Vineyard for a few months in 2008, and in my absence, one of my closest friends lived in the house. I made plans to be away for most of the winter of 2011-12 and rented the house to a couple during that time. Otherwise, I typically resided in my house for much of the "off season" months of October thru May between 2005-13.

[10.] From the outset of periodically renting my house, I wanted to be certain that I was complying both with State law regarding a landlord's obligations, as well as local laws in relation to my pre-existing knowledge acquired during the house construction process that my property is located in a "Residential Only" district per the Town of Aquinnah's zoning/land ordinance. Consequently, I have made it a point to remain familiar with that zoning ordinance as it relates to any commercial uses of my property, both as to periodic rentals for strictly residential purposes or other non-residential-related uses. I did confirm from my review of the town's Zoning Ordinance after I discovered the porn use, and just how extensive it was, that they would have needed a Special Permit to shoot commercial films of any kind on my property and that they obviously would have needed me as the owner to agree to it as part of their application process. Since my discovery of the two other "shoot houses" they were using in West Tisbury, I have formed an understanding that they needed to secure Town permits there as well.

[11.] During a visit to Antigua in 2013, I met my future and present husband Didier, who was living there and employed as a restaurant manager. He is a citizen of France, but chose to live and work in Antigua because he had shared custody of a school-aged child from a prior relationship with a woman who is native Antiguan. Neither he nor his child have U.S. citizenship or "green cards", and so neither one of them is able to reside on an extended basis in the U.S. As a result of that romantic relationship with Didier, I wanted to spend the bulk of the 2014-15 off-season months living with Didier in Antigua. So I decided to seek a "Winter rental" that year for the first time since my previous one in 2011-12. That decision was prompted primarily from an economic standpoint from my knowledge that I would not be able to secure a work visa in Antigua

but I still needed to cover the costs of my mortgage, home insurance, land taxes and utilities while I was away. Obtaining a work visa in Antigua is a long and complicated process. If you are not sponsored by an employer, it is also very expensive. Additionally, those sponsored positions typically must be in a specialized field, otherwise they have to be advertised to Antiguan before they can be filled by a foreigner. I spent the following 2 winter seasons working on an art-related project in an unpaid position. I was finally granted a "self-employed" work visa in early 2018 and have been able to maintain it ever since.

Part III. The Spafford Tenancy

[12.] After interviewing a few applicants who responded to my advertising, Joshua Spafford was my first choice for a winter tenant. He presented himself as a successful photographer. He told me he was on the island to get away from the craziness of city life. He had a few jobs lined up in NYC and LA throughout the winter, but would do all of the editing work while he was on the Vineyard. He needed some peace and quiet. I googled Joshua's name, which revealed a photography website and theater work. His online presence matched what he told me. I had no reason to think there was an alternative side to his story. I am not a professional landlord. I trusted my gut instincts about the type of person he appeared to be. Joshua and I seemed to have a lot in common; we were similar in age, like-minded, both artists and shared a love for sailing. He introduced me to his girlfriend Alisha who was very friendly. I introduced them to friends of mine. I went out of my way to familiarize them with the Vineyard because I wanted them to have an enjoyable winter.

[13.] Joshua and I met on a few occasions. I showed him the house, we went over the rental-related paperwork, including walking through the house together and signing an "Inventory and Statement of Condition" agreement that was accompanied with photos of the house.

[14.] During the winter I emailed with Joshua periodically about the rent and utility bills. There were a few snowstorms during the winter, and I knew that Josh was not used to living in the countryside, so I would contact him to give him advice on how to handle snowstorm conditions in a remote part of the Island. My father went out of his way to plow the snow in the driveway and parking area for Joshua. There were a few occasions when Joshua said he was stuck off-Island and so my parents watered the houseplants for him. We had brief but friendly communications until I received his email informing me that he had abandoned the house.

Part IV. The Post-Anticipatory Breach Email Dealings with Monica Jensen, and Related Discovery of the Porn Filming

[15.] I received Joshua's email on March 15, 2015, after which my parents rushed to check on the house. It was a very stressful situation for me, being so far away from my home. I had to rely on my parents for help. It was stressful and strange enough to be dealing with a renter who had abandoned my house out of the blue in the middle of

winter, when my mother, Barbara, returned the next day to find strangers in the house! She questioned who they were and how they got there. They said that "Nica" had dropped them off there. Barbara didn't know who Nica was. The strangers called Nica, and asked her to return to my house. Barbara said it wasn't the nicest conversation and she was pretty freaked out by the whole thing. While they were waiting for Nica to arrive, Barbara went back to her home and wrote me an email with the subject line, "Leah call me right away!!!". I called her and she explained what she discovered, which of course really freaked me out. Barbara returned to my house when Nica arrived. Nica told Barbara that Joshua had left the Island, then skipped out of work that she had already advanced him payment for. He was supposed to be working at their current "photoshoot" with the two models that were in my home. She knew Joshua was at his mother's in Florida because he had been posting photos on social media of him and his current girlfriend there. Nica also said that she had been subletting the house, paying Joshua's rent in exchange for letting her "models" stay at my house, and then she asked Barbara if she could take over the lease. Barbara told Nica that they had to vacate the property, but she (Nica) could discuss the possibility of renting with me. She asked them all to leave and took the key from Nica and locked the house. Barbara then sent me an email with Nica's info.

[16.] On March 17, 2015, I sent Nica a text to set up a phone call, which happened a few minutes later. I asked her what were Joshua's personal problems (that he had mentioned in his letter to me), she said that he left for a while to regroup. He was having girlfriend problems. He was claiming that the family of an ex-girlfriend was extorting him. He was at his mother's in Florida with his current girlfriend. But when I asked, she wouldn't give me his twitter or instagram accounts, saying she didn't feel comfortable giving out his private information (in retrospect, I believe she withheld that information because those accounts were using his porn-related pseudonym which would've exposed the pornography connection). I asked whether it was the girlfriend I had met, Alisha, and Nica said that Alisha was long gone. That she thought it was a different girlfriend. I asked about the mother's place in Florida. She said she didn't have any contact details there; all she knew was that his mother had a different last name. She told me that Josh was desperate for money. She had given him a total of \$8500 recently. \$1500 was prepayment for February rent, then in March she had given him \$7000: \$2333 for March rent at my house, plus payment for 2 days of work and advanced him \$4000 for work that was supposed to happen when he returned to MV after Florida. I asked where the money went. She said that she had known Joshua for a few years and that they had always had a good relationship but that he had been acting suspiciously since February, asking for advances of large amounts of money but not following through with work responsibilities. I seem to remember her mentioning that she was suspicious of drugs or gambling, and that could've been where the money had gone. She certainly wasn't trying to paint a nice picture of him. She said she was just as surprised and upset at his disappearance. I asked about the job she had lined up for him on his return from Florida, which she said was photography work. I told her that Joshua didn't have permission to sublet the house to her in February and March. She asked if it was ok if she took over the lease. I asked her about the nature of renting the house. She said that models would be occasionally staying at the house while they were on the Island to shoot

product and generic stock photos. I actually asked her if it was legitimate and decent work because I was growing suspicious of the entire thing and she responded with an emphatic "yes!" and proceeded to laugh and assure me that it was all above board. She then went on to explain that she was a single parent. Her daughter had an on-going medical condition, which required her to be in a Boston hospital for the past several months. That was why Nica was living on MV with her mother, so that she could commute to Boston easily. She said she was able to work from MV remotely, as she was able to produce her work in a studio and send the material off to the companies she was working for. Although it sounded unusual for MV, it was believable. I have friends who do that type of work and I have dabbled in the world of advertising, film and media as well. I told her I wanted to think about it and would get back to her. I asked her for her email as it would be easier to communicate that way in the future. I told her that I would send her a quick email after we hung up, so that she would have my email contact as well, which I did.

[17.] At the time, I was really counting on that rental income, as I was not employed in Antigua. I actually considered leasing the house to Nica. But in the end, I decided against it because it all seemed too bizarre and I preferred having the peace of mind knowing that my house was safely locked up till I returned home, as I was traumatized by the experience with Joshua. It was only a few days later that I discovered the true nature of the rental and who Joshua and Nica really were.

[18.] In the period between March 17-20, 2015, I continuously scoured the internet to find out anything more about Joshua. I knew that his mother lived in Florida, but I didn't know her name. The address Joshua had given me was incorrect, but similar and I think he did this on purpose. After extensive research, I discovered an article referencing his family connection to a famous murder case in LA, "The Black Dahlia", it turned out that his grandfather was the main suspect. Once I made that connection, there was a lot of information available. I discovered an audio interview, where Josh spoke about his family and revealed his mother's name. From there I was able to get her address and discovered other family members via her public FaceBook account. I discovered that he was leaving for the Philippines via a FaceBook post by his sister, Catarina, who's FaceBook account was also public.

[19.] March 26, 2015, I sent a follow up email to Nica asking if she had heard anything from Josh. She replied on the same day and it was the first time I had ever received an email from her. It was then that I noticed her name associated with the email address was listed as Monica Noelle, not Nica Jensen, as I knew her to be. That was a new name to me. Because I was desperate for any info about any of these people, I began googling the name Monica Noelle and all other variations of the names I had for her. That is when I discovered her pseudonym, "Nica Noelle" and her connection to pornography and subsequently, her association with "Joshua Darling", who turned out to be the pseudonym for Joshua Spafford. That discovery led me to multiple images and articles promoting the videos filmed in my home by IconMale. The only person I told or shared them with was my husband Didier, since it was hard not to let him know what I was "freaking out about".

[20.] March 27th, I sent an email to my lawyer, John Taylor, about my new discovery. Later that day, Nica sent me an email, directly followed by a text. At this point I knew her true identity and I knew she was lying to me, but I didn't know how to handle the situation. I didn't know if I should confront her at that moment. I was in a state of shock. I am a non-confrontational person and this was more than I could handle. In that moment I decided to pretend not to know anything, so that I could get as much info out of her as possible. As the text exchange reads, she was trying to paint a very alarming and ugly picture of Joshua, she was claiming that he was extorting her, he had lost his mind, he was threatening her, he was a criminal. She was a single mom and he knew where she lived. He was harassing her. She was freaked out and shocked by the situation. She then went on to say that she and her business partner would pay me a sum of money to get Joshua off their backs, in exchange for a signed release by me. She sounded quite hysterical and frightened, but I knew she was trying to manipulate me into feeling sympathy for her. She ended the exchange by forwarding an article that she had written for Martha's Vineyard magazine. I guess this was her attempt at making me think she had a "normal" profession and lifestyle? I don't recall ever being in such a deceitful situation as this. Joshua's behavior was inexcusable, but the exchange with Nica really struck me to my core. I think because she was presenting herself as a victim and that we shared some bond because we had been victimized by the same person. She was conniving and manipulative and very good at it. I am a very trusting person. She completely took advantage of me. The experience of having to text with her when I finally knew the truth was very traumatizing for me.

Part V. Emotional Distress

[21.] It feels impossible to put into words what this experience has done to me emotionally. It would take hundreds of pages, my thoughts rambling for hours, but that's not realistic. And so I have to somehow squeeze it all into a few paragraphs on a small piece of flat white paper, yet the sadness and anxiety I have within me is deep, dark and seemingly endless.

[22.] After my discovery, I continued to research every name that was associated with all of the films, IconMale, Transsensual, Nica Noelle, JM Darling, Jon Blitt, etc. I collected many relevant articles, screen shots, followed twitter feeds and Instagram accounts and Facebook pages, trying to piece together a timeline of events of the previous year and what the heck went on in my house. The web of connected people and information grew larger and larger. It was time consuming, incredibly taxing and never-ending, but I had to do it because no one else would dedicate that much time and effort, and I would never ask anyone else due to the disturbing content. My research progressed into an obsession. It got in the way of my normal daily life. I was hiding this big secret from everyone, much of it even from my husband because I was too upset to talk to him about what I was discovering; not only about the goings on in my home but about the people in it, particularly Ms. Jensen. The behavior that Ms Jensen exhibited on-line was shocking to me. She was constantly involved in on-line fights, bashing, trolling, name-calling, defamation, and threats. I became very paranoid and fearful of retaliation by her.

I was so afraid, I deleted my entire on-line presence. I took down my business websites and social media because I wanted to protect myself. I feel like my life has been put on hold. I didn't realize that those initial months of research would continue for another 4 years. The extensive amount of time that I have committed to this entire ordeal is mind-boggling.

[23.] When I returned to my house in May of 2015, it felt empty, cold and dead. There were strangers' belongings hanging in the closets, rotting food left in the kitchen and the visions of what I had seen on the internet popping into my mind at every turn. I felt so betrayed and hurt and vulnerable. This was not only my home, but my baby, my biggest creation to date. I poured all of me into the building of this special place, my place. And all of the joy and warmth that had emanated from this place was gone. I had no answers and I couldn't even talk about it with anyone because I was too embarrassed and I had a lot of shame. The house was damaged more than I realized from my parents reports. The photos they had sent me didn't show the extent of the damage. My husband and I spent weeks repairing what had so recklessly and dismissively occurred while I was away. It was very painful and continues to be painful, as now everyone associates it with pornography.

[24.] All of this was getting in the way of my life, my relationship and my mental health. My poor husband and our relationship were suffering. It was all getting to be too much. I have a few girlfriends who see therapists and they talk about how helpful it is, so I asked one of my friends for a referral. It was uncomfortable at first to sit down with a stranger. I was so embarrassed. But once I got over the initial awkwardness, the floodgates opened, there was a sense of relief knowing that I could talk to someone neutral, not be judged, and get things off my chest. My therapist, Trish Keohane, taught me methods to overcome those terrible feelings. She was and continues to be really helpful. I haven't felt like I needed to have continuous, regular sessions with her, because as the years went by there were periods of time when the discussions with the my lawyer and the Defendants' counsel fell silent for a while; I would force myself to stop researching and collecting info.; and it sometimes felt like all of this was put away in a cabinet for a while. But then it would come back. I was hiding it from my friends and family, lying to them. Trying to put on a cheerful face yet I felt like I was dying inside. It really feels like it has taken over my life.

[25.] From the very beginning of our communications with the Defendants, their counsel has responded in an aggressive and retaliatory manner; their response to the 93A Demand letter, their obstructionist behavior, and intimidating tactics and threats. They hired a private investigator to intimidate my witnesses and me. A suffered through a 7 hour long deposition, that was stretched out to a 9 hour long meeting, and was made to answer numerous Interrogatories that were so time consuming, it felt like a full time job, it really felt like harassment. I am the victim here, I did nothing wrong. I was most distressed after my lawyer reported to me about the meeting he had with Mr. Roach and Ms. Megaloudis on March 1, 2016. John told me that they were taking the position that I knew about the porn from the start! Monica Jensen claimed that she had asked my permission before she began filming in my house. And that I had told her that I felt bad

about those “girls” who find themselves forced into doing porn, but that as long as there wasn’t coercion, all I cared about was getting my rent and having the premises left in good condition. Ms. Megaloudis said that Monica wouldn’t film in the house without personally securing the owner’s consent. She also went on to claim that both of my parents also knew about it. That Monica had had at least one conversation with my mother, in which Monica had disclosed that they were shooting adult videos there. Ms. Megaloudis also went on to claim that TLA had posted our demand letter on-line, which generated a great deal of publicity on social media about the filming on my property, and created a great deal of anger within the gay community and that there were two blogs which had identified me by name and address, and that there was a lot of chatter from people about deliberately renting my house in order to have gay sex there. There was not one bit of truth in any of those words and it was a clear attempt to intimidate and scare me away. This is only one example of the low level of behavior that I have faced from the very beginning. I can’t handle the lying, the intimidation, the victim shaming. I have lost my faith in justice and humanity.

[26.] The plot of many of the films is based on a predatory theme of adults taking advantage of vulnerable minors. Through my therapy, I realized that part of my visceral reaction to the films themselves, was rooted in an experience from when I was sexually harassed by a teacher for 3 years in high school. I was a vulnerable minor. I was continuously harassed and eventually assaulted by an authoritative adult in my life. I kept it a secret from my parents. I was too embarrassed to tell them. The other adults and fellow students who did know about what was happening didn’t do anything to help me. I swallowed my feelings and I tried to handle the situation on my own. These films re-triggered the trauma of those years in which I felt so helpless. After I had left for college, my parents found out what had happened and the teacher was silently “dismissed” from his position. I never forgave myself for not standing up against him when I should have. I think that was part of the reason I had to stand up against the Defendants and not let them get away with what they did to me.

[27.] It became clear that we were at a standstill with the Defendants. There was no moving forward. I couldn’t let them get away with it, that would show them they could do this to other people. They would win. How would I feel years from now? Like a failure, a coward. I realized that I needed to stand up to them in order to start the healing process. It was a very hard choice for me, but there was no other choice. Growing up on Martha’s Vineyard, your privacy and reputation are your most important assets. It is such a small community. I knew that filing the lawsuit would result in the gossip mill going on overdrive on the Vineyard, but I never could have imagined the extent of what actually happened. The story completely blew up. It was on news reports across the entire World. The press was contacting me and my lawyer. My friends and family were contacting me. It was on group chats on Facebook. A lot of the reaction was sympathetic, but also shock, and people making fun of me. I went into crisis mode, I couldn’t eat or sleep for over a week, I was hallucinating, hyper-ventilating, and I had constant panic attacks. The attention was smothering. I didn’t want to return to Martha’s Vineyard, and for good reason. I had random people approaching me in the super market, on the street, at parties, restaurants, everywhere. Mostly sympathetic conversations, but

who wants to talk about porn in the vegetable aisle at the grocery store with a distant acquaintance?! I kept to myself that summer. I really wanted to disappear. I became reclusive and depressed. But did my best working with my therapist and using her therapeutic and calming methods.

[28.] After I filed the lawsuit, as expected, Ms. Jensen retaliated as she has done to other people in the past. I saw a post by Ms. Jensen about “fighting homophobic and transphobic bullshit”, which was followed by the Twitter posts of her employees Billy Santoro and Hugh Hunter. It was so revolting. I have always been a gay rights activist. I have best friends and family members who are gay and lesbian. It was disgusting what these people were trying to do to me. Instead of owning up to their own poor choices, they were attacking me. I cried when I had to reach out to my closest cousin and apologize for what was happening.

[29.] After I filed the lawsuit, the fallout was so severe that I couldn’t eat or sleep. I began hallucinating. I fell into a deep depression. I was given a prescription for Xanax, which helped but I didn’t like the effects very much. I did continue to take it periodically. When I returned to the Vineyard in the Summer of 2019, my anxiety and depression levels skyrocketed, due to the high activity regarding the period of Discovery. I felt terrorized with the continuation of the Interrogatories, the depositions, the extensive amount of time that I was committing to the lawsuit. I was made to watch the porn that was filmed in my home over and over again and had to look through, and categorize and count thousands of the pornographic photo stills shot in my home to gather information relative to the lawsuit. It was overwhelming. I couldn’t handle the anxiety and depression anymore. It was all too much. I couldn’t eat or sleep. I decided I needed medication. I spent much of my summer curled up in a ball in my bedroom for weeks. Having to go over all this information time and time again. My doctor prescribed an anti-depressant and anti-anxiety medication which have really helped me. It really saddens me when I think about what this experience has done to me. I was always a happy, easy-going person and I feel like I am a hollow shell now. I want my life back. But I feel like I am forever changed. It has fundamentally changed who I am.

[30.] The Defendants’ counsel claimed that because Jon Blitt has never spoken to me he can’t be held accountable for anything. Aside from being a silly argument, what really struck me in that statement was that they were right about one thing, Jon Blitt has never spoken to me. Monica Jensen has never spoken to me since our initial exchanges. They’ve never apologized. They’ve never reached out to me to apologize for their participation in the worst thing that has ever happened to me. They should be ashamed. The simple act of an apology goes a long way.

Part VI. Copyright Registrations

[31.] It has always been my understanding that an artist automatically has copyright ownership the second s/he completes a work. And through my research related to this case, I came to learn that this is true. It is only when you need to pursue legal action that an official document must be obtained for copyright ownership. When I

finished the interior of my home, which required creating some of the artwork, there was no need to copyright that artwork. I wasn't intending to sell the artwork while it was on my walls.

[32.] When my lawyer sent the 93A demand letter to the Defendants, I was hopeful that I could avoid filing a lawsuit and the Defendants and I could reach a settlement. I didn't want to have to file for copyright certificates. But over time, it became clear that the Defendants weren't willing to reach an agreement and in fact were taking an aggressive and retaliatory stance, as in the meeting between John, Mr. Roach and Ms. Megaloudis for example. John advised that I file the copyright applications, as it looked like we were heading towards a lawsuit. We waited until he was able to come to MV and we filed the applications on-line together. It took almost a year to receive the approved registrations. During that time I did have communications with US Copyright personnel. Those email exchanges have been submitted previously. The US Copyright personnel needed some clarification, they were happy with the information that I provided to them and they approved the registrations.

[33.] Although I filed for the copyright registrations, I have never sought to sell, reproduce, license or otherwise seek a profit from any of the 53 works that were included in those 3 applications.

[34.] I am attaching a set of notes that I prepared last Summer for my lawyer at his request, which is titled "Artwork and scene locations filmed at Leah Bassett's home", and provides detailed notes as to 7 of the films that had been identified either by my own investigation or by the Defendants since the lawsuit was filed as including scenes shot at my home. I found it too time-consuming and too distressing to me at that time to watch all of the other ones that were known, or suspected, of including action scenes or stills. The photo identifications conform with the inset color photos that I included in my Supplemental Interrogatory Answers, dated July 29, 2019, that I provided to the Defendants, and being attached as an exhibit by my lawyer. I can state that the depiction of those identified copyrighted works in those notes I took were in nearly every instance highly identifiable as my artwork, and appeared in the scene for at least one running segment lasting more than 3 seconds.

Signed under the pains and penalties as to all matters stated herein that fall within my personal knowledge and best memory.

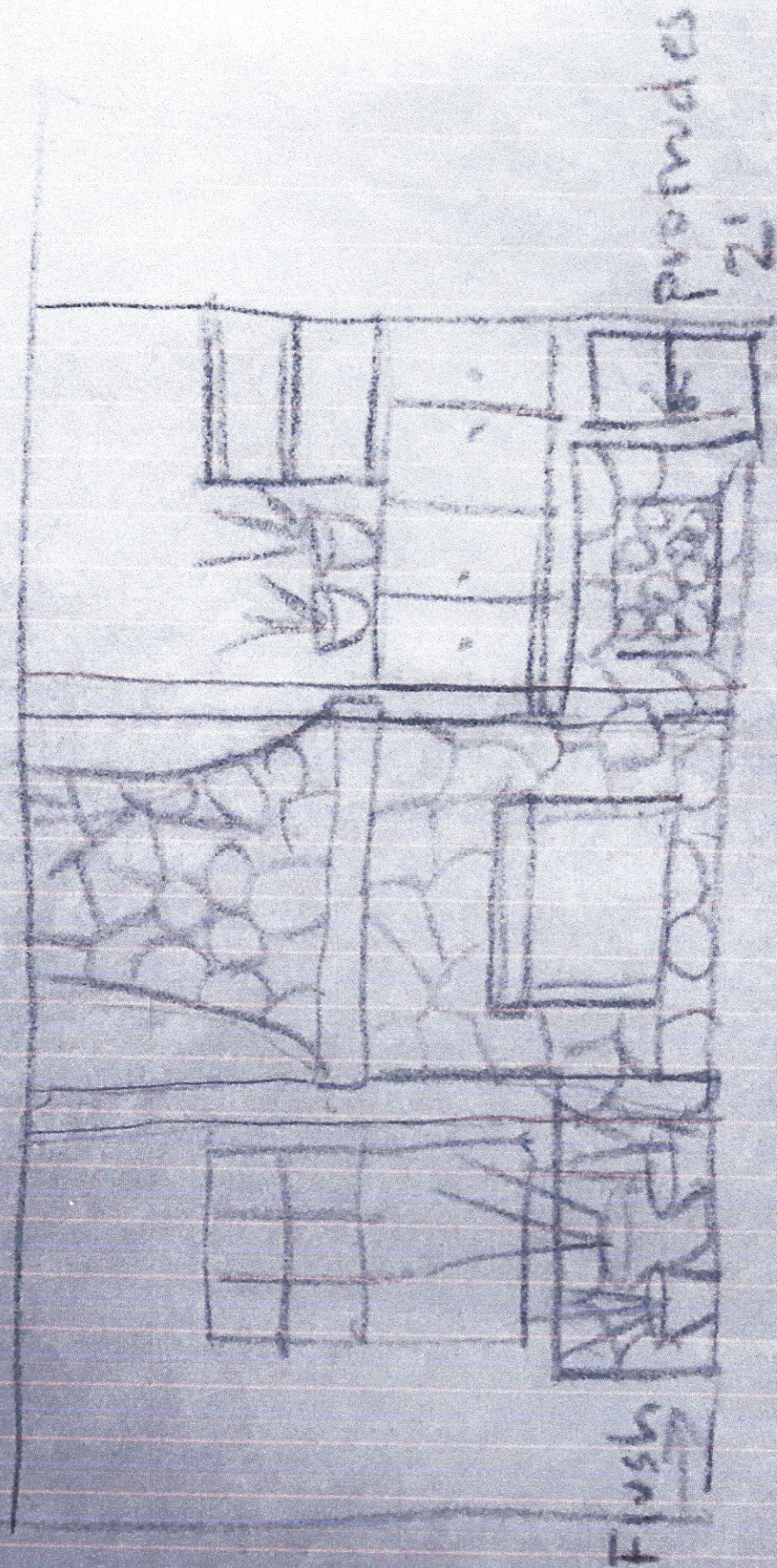


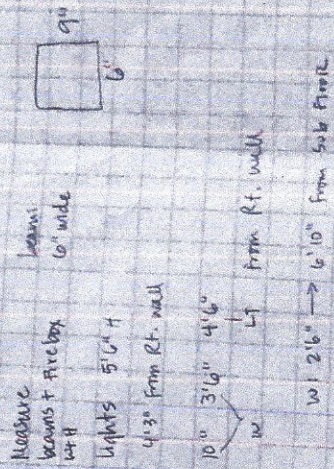
Leah Bassett

December 23, 2019

EXHIBIT 1

FIRE PLACE




$$94 \times 2^2 - 8 - 1 = 2$$

bottom 5/12" cut from wall

top 2" from wall

manifold projects $2\frac{1}{2}''$ post bottom
shelf = 6"

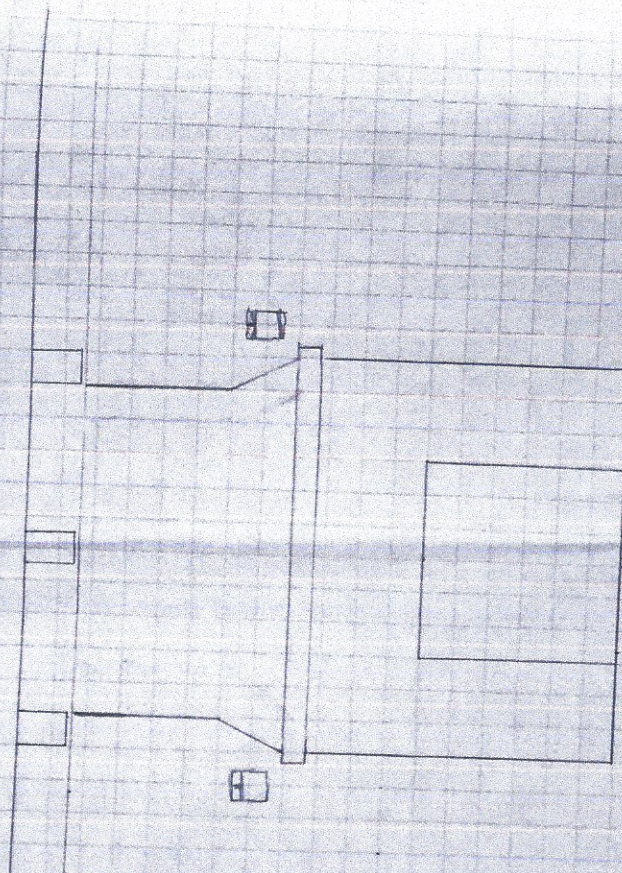




EXHIBIT 2

Artwork and scene locations filmed at Leah Bassett's home:

"BROTHERS"

Location 1: Not Leah's home.

Location 2: Not Leah's home.

Location 3: Long shot of Leah's driveway, pond, yard and deck.

Photo 1: Exterior of Leah's home.

Location 4: Leah's entrance.

Photo 2: Balinese woodcarving 2.

Location 5: Leah's kids room.

Photo 3: John Tenniel- "Alice in Wonderland" and "Interior Design Wall Hanging 12".

Photo 4: John Tenniel- "Alice in Wonderland".

Photo 5: "Interior Design Wall Hanging 9".

Photo 6: "Interior Design Wall Hanging 12".

Photo 7: "Interior Design Wall Hangings 9" and "Interior Design Wall Hanging 12".

Location 6: View of exterior of Leah's home.

Photo 8: Buddha statue.

Location 7: Leah's kids room.

Photo 9: "Interior Design Wall Hanging 9".

Photo 10: John Tenniel- "Alice in Wonderland".

Photo 11: "Interior Design Wall Hanging 12".

Location 8: Leah's entrance.

Photo 12: Balinese woodcarving 2.

Location 9: Leah's laundry room.

Location 10: Leah's stairwell.

Photo 13: "Stairway Collage 1", "Stairway Collage 2", "Stairway Collage 3".

Location 11: Leah's kids room.

Photo 14: "Interior Design Wall Hanging 9".

Location 12: Leah's downstairs guest room.

Photo 15: "Interior Design Wall Hanging 6".

Photo 16: "Interior Design Wall Hanging 6" and "Interior Design Wall Hanging 7".

Photo 17: Nicola Dixon- 2 paintings of sailboats.

Photo 18: "Interior Design Wall Hanging 6".

Photo 19: Nicola Dixon- 2 paintings of sailboats, "Interior Design Wall Hanging 6" and "Interior Design Wall Hanging 7".

Photo 20: "Interior Design Wall Hanging 7".

Location 13: Leah's kids room.

Photo 21: John Tenniel- "Alice in Wonderland".

Photo 22: "Interior Design Wall Hanging 12".

Photos 23-24: "Interior Design Wall Hanging 9".

Behind the Scenes:

Location 1: Leah's laundry room.

Location 2: Not Leah's home.

Location 3: Leah's kids room.

Photo 25: "Interior Design Wall Hanging 9".

Slideshow: All photos are at Leah's home.

Photos 26-28: Colton Grey (no visible art).

Photos 29-31: Theo Ford (all 3 show "Artist's Design Fireplace Façade").

Photos 32-34: Connor Maguire (no visible art).

Photos 35-37: JD Phoenix (no visible art).

Photos 38-40: Alex Greene (all 3 show "Artist's Design Fireplace Façade").

Summary:

Leah's artwork:

"Interior Design Wall hanging 9" - featured
"Interior Design Wall hanging 12" - featured
"Stairway Collage 1" - featured
"Stairway Collage 2" - featured
"Stairway Collage 3" - featured
"Interior Design Wall Hanging 6" - featured
"Interior Design Wall Hanging 7" - featured
"Artist's Design Fireplace Façade" - Slideshow

Other artwork:

Nicola Dixon- 2 paintings of sailboats -background
John Tenniel- "Alice in Wonderland" - featured
Balinese woodcarving 2 -featured
Buddha statue -featured

"School Boy Fantasies vol. 2"

Location 1: Leah's kids room.

Photo 1: John Tenniel- "Alice in Wonderland".

Location 2: Not Leah's home.

Location 3: Leah's front door.

Photo 2: Balinese woodcarving 1.

Location 4: Leah's living room.

Photo 3: "Stairway Collage 1" and "Stairway Collage 2".

Photo 4: "Interior Design Wall Hanging 9", "Interior Design Wall hanging 12", "Handsewn Pillows", Balinese woodcarving 3, Nicola Dixon- 2 paintings of sailboats, Kara Taylor- "Quiet Dignity".

Location 5: Leah's bedroom.

Photos: 5-7: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", "Handsewn Pillow 2".

Photo 8: "Interior Design Wall Hanging 8", "Handsewn Pillow 2", John Kelly- "Seated Hula Dancer".

Photos 9-10: "Handsewn Pillow 2".

Location 6: Leah's driveway and pond.

Location 7: Not Leah's home. Believed to be the Burns home.

Behind the scenes:

Location 1: Not Leah's home.

Location 2: Not Leah's home.

Location 3: Leah's bedroom.

Photo 11: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", "Handsewn Pillow 2".

Bloopers:

Location 1: Leah's bedroom.

Photo 12: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", "Handsewn Pillow 2".

Location 2: Not Leah's home.

Slideshow:

Location 1: Leah's living room

Photo 13: Connor Maguire (shows "Artist's Design Fireplace Façade" and Kara Taylor- "Untitled")

Location 2: Not Leah's home.

Location 3: Leah's living room.

Photo 14: Ian Levine (shows "Artist's Design Fireplace Façade")

Photo 15: Ian Levine (no visible artwork)

Photo 16: Brandon Wylde (shows "Artist's Design Fireplace Façade")

Photo 17: Brandon Wylde (shows "Artist's Design Fireplace Façade")

Location 4: Leah's bedroom.

Photo 18: Theo Ford (shows "Handsewn Pillow 2")

Location 5: Leah's living room.

Photos 19-20: JD Phoenix (shows "Artist's Design Fireplace Façade")

Photos 21-22: Dirk Caber (shows "Artist's Design Fireplace Façade")

Summary:

Leah's artwork:

"Stairway Collage 1" - featured

"Stairway Collage 2" - featured

"Interior Design Wall Hanging 9" - featured

"Handsewn Pillows" - featured

"Interior Design Wall Hanging 1" - featured

"Interior Design Wall Hanging 8" - featured

"Handsewn Pillow 2" - featured

"Artist's Design Fireplace Façade" - slideshow

Other artwork:

Kara Taylor- "Quiet Dignity" - featured

Kara Taylor- "Untitled" - slideshow

Nicola Dixon- 2 paintings of sailboats- featured

John Tenniel- "Alice in Wonderland"- featured

Balinese woodcarving 1- featured

Balinese woodcarving 3- featured

John Kelly- "Seated Hula Dancer"-background

"Gay Massage House vol. 3"

Location 1: Leah's bedroom.

Photo 1: "Interior Design Wall Hanging 1" and "Interior Design Wall Hanging 8".

Photo 2: "Interior Design Wall Hanging 1" and "Interior Design Wall Hanging 8".

Photo 3: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", and "Handsewn Pillows".

Photo 4: "Handsewn Pillows".

Photo 5: "Interior Design Wall Hanging 1" and "Interior Design Wall Hanging 8".

Location 2: Not Leah's home.

Location 3: Leah's bedroom.

Photo 6: "Interior Design Wall Hanging 1" and "Interior Design Wall Hanging 8".

Photos 7-9: "Table 2 Hand-painted Top".

Photo 10: "Interior Design Wall Hanging 8" and Shiva statue.

Photo 11: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", Shiva statue, "Table 2 Hand-painted Top", John Kelly- "Seated Hula Dancer".

Photo 12: "Interior Design Wall Hanging 1" and "Interior Design Wall Hanging 8".

Photo 13: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", Shiva statue, John Kelly- "Seated Hula Dancer".

Photo 14: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", Shiva statue
Location 4: Leah's bedroom.

Photo 15: "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3", Shiva statue, Buddha head statue.

Photo 16: "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3", Shiva statue.

Photo 17: Andy Barron (Associated Press)-Photograph of Leah Bassett.

Behind the Scenes:

Location 1: Not Leah's home

Location 2: Leah's bedroom

Photo 18: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", Shiva statue.

Bloopers: Leah's bedroom.

Photo 19: "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3", Shiva statue.

Photo 20: "Interior Design Wall Hanging 8".

Slideshow: Leah's home. In her bedroom and living room.

Photos 21-22: Alex Greene (shows "Artist's Design Fireplace Façade").

Photos 23-24: Theo Ford ("Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", Shiva statue).

Photos 25-26: Brock Avery (shows "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3", Shiva statue).

Photos 27-28: Rob Yaeger (shows "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3", Shiva statue).

Photo 29: Andrew Fitch (shows "Artist's Design Fireplace Façade" and Kara Taylor-"Untitled").

Photo 30: Andrew Fitch.

Photo 31: Jessie Coulter (shows "Artist's Design Fireplace Façade").

Photo 32: Jessie Coulter (shows "Artist's Design Fireplace Façade" and Kara Taylor-"Untitled").

Summary:

Leah's artwork:

"Interior Design Wall Hanging 1"-featured

"Interior Design Wall Hanging 8"-featured

"Handsewn Pillows"- background

"Table 2 Hand-painted Top"-featured

"Interior Design Wall Hanging 2"- featured

"Interior Design Wall Hanging 3"- featured

"Artist's Design Fireplace Façade" – slideshow

Other artwork:

Kara Taylor- "Untitled"- slide show

Andy Barron (Associated Press)-Photograph of Leah Bassett - featured

John Kelly- "Seated Hula Dancer"- featured

Shiva statue- featured

Buddha head statue- background

"My TS Student"

Location 1: Leah's yard.

Photo 1: Exterior of Leah's home.

Location 2: Leah's bedroom.

Photo 2: "Stairway etching 1".

Location 3: Leah's dining room.

Location 4: Leah's kids room.

Photo 3: "Interior Design Wall Hanging 9".

Location 5: Exterior of Leah's home.

Location 6: Leah's bedroom.

Photo 4: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8".

Location 7: Leah's kids room.

Photo 5: "Interior Design Wall Hanging 9".

Location 8: Leah's living room.

Photo 6: "Living room painting 1", "Living room painting 2", "Living room painting 3", "Living room painting 4", "Living room painting 5".

Photo 7: "Handsewn Pillows".

Location 9: Leah's front door.

Location 10: Leah's living room.

Location 11: Leah's bedroom.

Photos 8-10: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8".

Location 12: Not Leah's home.

Location 13: Leah's bedroom.

Location 14: Exterior of Leah's home.

Photo 11: Balinese woodcarving 1.

Location 15: Leah's entrance.

Photo 12: Balinese woodcarving 2, "Handsewn and Designed Slipcover and Pillows".

Location 16: Leah's kitchen lounge.

Photo 13: "Handsewn and Designed Slipcover and Pillows", "Handsewn and Designed Slipcover and Pillows".

Photo 14: "Handsewn and Designed Slipcover and Pillows", "Handsewn and Designed Slipcover and Pillows", Kara Taylor- "Quiet Dignity".

Location 17: Leah's deck.

Location 18: Leah's bedroom.

Photo 15: John Kelly- "Healani Hawaii", John Kelly- "Seated Hula Dancer", Ryan Gaffney-Self portrait (partial view).

Photo 16: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8".

Location 19: Leah's living room.

Photo 17: "Living room painting 1", "Living room painting 2", "Living room painting 3", "Living room painting 4", "Living room painting 5", "Handsewn Pillows"

Photo 18: Nicola Dixon- painting of sailboat.

Location 20: Leah's entrance.

Photo 19: "Interior Design Wall Hanging 5".

Location 21: Leah's living room.

Photo 20: "Living room painting 1", "Living room painting 2", "Living room painting 3", "Living room painting 4", "Living room painting 5", "Handsewn Pillows", Balinese woodcarving 3, Nicola Dixon- 2 paintings of sailboats.

Photo 21: "Stairway Collage 1", "Stairway Collage 2".

Location 22: Leah's bedroom.

Photo 22: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", "Handsewn Pillow 2".

Photos 23-24: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8".

Behind the Scenes:

Location 1: Leah's bedroom.

Photo 25: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8".

Location 2: Leah's bedroom.

Photo 26: "Interior Design Wall Hanging 8".

Location 3: Not Leah's home.

Location 4: Leah's bedroom.

Photo 27: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", "Handsewn Pillow 2".

Slideshow:

Non descript location, no visible artwork.

Summary:

Leah's artwork:

"Stairway etching 1"- background
"Interior Design Wall Hanging 9" -featured
"Interior Design Wall Hanging 1"- featured
"Interior Design Wall Hanging 8"- featured
"Handsewn Pillows"- featured
"Living room painting 1"- featured
"Living room painting 2"-featured
"Living room painting 3"-featured
"Living room painting 4"-featured
"Living room painting 5"-featured
"Handsewn and Designed Slipcover and Pillows" - featured
"Handsewn and Designed Slipcover 2"- featured
"Interior Design Wall Hanging 5"- background
"Stairway etching 2"- background
"Handsewn Pillow 2"-featured
"Stairway Collage 1"- background
"Stairway Collage 2"-background

Other artwork:

Nicola Dixon- 2 paintings of sailboats- background
Kara Taylor- "Quiet Dignity" -featured
Ryan Gaffney-Self portrait (partial view)- background
John Kelly- "Seated Hula Dancer"-featured
John Kelly- "Healani Hawaii" -featured
Balinese woodcarving 1- featured
Balinese woodcarving 2- featured
Balinese woodcarving 3- featured

"Daddy's Big Boy"

Location 1: Shots of Aquinnah.

Location 2: The Burns home.

Location 3: Exterior of The Aquinnah Cultural Center.

Location 4: Leah's bedroom.

Photo 1: Andy Barron (Associated Press)-Photograph of Leah Bassett, "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3", "Handsewn Pillow 2".

Photo 2: "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3".

Photo 3: "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3", Meadow Bassett- ceramic sculpture, Buddha hand sculpture.

Photo 4: Meadow Bassett-ceramic sculpture, Buddha hand sculpture.

Photo 5: "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3".

Location 5: Exterior of The Aquinnah Shop restaurant.

Location 6: Leah's living room.

Photo 6: "Living room painting 1", Nicola Dixon- 2 paintings of sailboats, Kara Taylor- "Quiet Dignity", Balinese woodcarving 3, "Handsewn Pillows".

Photo 7: "Handsewn Pillows".

Photo 8: Nicola Dixon- 2 paintings of sailboats.

Location 7: Leah's upstairs guestroom.

Photo 9: "Interior Design Wall Hanging 9", "Interior Design Wall Hanging 12".

Photo 10: Shepard Fairey- "Freedom to Lead".

Photos 11-12: "Interior Design Wall Hanging 9", "Interior Design Wall Hanging 12".

Location 8: A quick exterior shot of a house in Aquinnah.

Location 9: The Burns home.

Slideshow:

Photo 13: Nick Capra. Leah's upstairs deck

Photos 14-15: Sam Truitt. Leah's upstairs deck.

Photos 16-17: Adam Russo. Leah's stairwell.

Photos 18-19: Dirk Caber. Shows "Artist's Design Fireplace Façade".

Behind the Scenes: Not Leah's home.

Summary:

Leah's artwork:

"Interior Design Wall Hanging 2"- featured

"Interior Design Wall Hanging 3"- featured

"Handsewn Pillow 2"- featured

"Living room painting 1"- featured

"Handsewn Pillows"- featured

"Interior Design Wall Hanging 9"- featured

"Interior Design Wall Hanging 12"- featured

"Stairway etching 1"- background

"Artist's Design Fireplace Façade"-slideshow

Other artwork:

Andy Barron (Associated Press)-Photograph of Leah Bassett- featured

Meadow Bassett- ceramic sculpture- featured

Shepard Fairey- "Freedom to Lead"- partial view featured

Kara Taylor- "Quiet Dignity" - partial view featured

Nicola Dixon- 2 paintings of sailboats- featured

Buddha hand sculpture- featured

Balinese woodcarving 3- featured

"His Son's Best Friend"

Location 1: Shots of Aquinnah, The Aquinnah Shop restaurant.

Location 2: Leah's upstairs guest room.

Photo 1: "Interior Design Wall Hanging 1".

Photo 2: "Handsewn Pillows".

Photos 3-4: "Interior Design Wall Hanging 1", "Handsewn Pillows".

Photo 5: "Handsewn Pillows", "Interior Design Wall Hanging 1".

Location 3: Shots of Aquinnah, Menemsha and Graveyard.

Location 4: Exterior shot of Leah's house at night.

Location 5: Not Leah's home (the Burns home).

Location 6: Exterior shot of The Aquinnah Cultural Center.

Location 7: Not Leah's home (the Burns home).

Location 8: Leah's entrance.

Location 9: Leah's living room.

Photo 6: "Handsewn Pillows".

Photo 7: "Artist's Design Fireplace Façade".

Photo 8: "Living room painting 2", "Living room painting 3", "Living room painting 4", "Living room painting 5".

Photo 9: "Living room painting 1", Balinese woodcarving 3, Kara Taylor- "Quiet Dignity".

Location 10: Leah's bedroom.

Photo 10: "Stairway pottery 3", "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8", "Handsewn Pillow 2".

Photo 11: John Kelly- "Seated Hula Dancer".

Photo 12: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8".

Photo 13: "Stairway pottery 3", "Handsewn Pillow 2".

Photo 14: Andy Barron (Associated Press)-Photograph of Leah Bassett.

Location 11: Exterior of The Aquinnah Cultural Center.

Location 12: Not Leah's home (the Burns home).

Location 13: Leah's upstairs guest room.

Photo 15: "Handsewn Pillow 2", "Handsewn Pillows".

Photo 16: "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3", "Handsewn Pillow 2", "Handsewn Pillows".

Photos 17-18: "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3".

Location 14: Not Leah's home (the Burns home).

Behind the scenes:

Location 1: Leah's upstairs guest room.

Photo 19: "Interior Design Wall Hanging 2", "Interior Design Wall Hanging 3".

Location 2: Leah's bedroom.

Photo 20: "Interior Design Wall Hanging 1", "Interior Design Wall Hanging 8".

Location 3: Leah's upstairs guest room.

Photo 21: "Handsewn Pillows".

Bloopers: Not at Leah's home.

Slideshow:

Photos 22-24: Colton Grey. Shows "Artist's Design Fireplace Façade".

Photos 25-27: Nick Capra. Shows "Artist's Design Fireplace Façade".

Photo 28: Sam Truitt. Leah's upstairs deck.

Summary:

Leah's artwork:

"Interior Design Wall Hanging 1"- featured

"Interior Design Wall Hanging 8"- featured

"Handsewn Pillows"- featured

"Artist's Design Fireplace Façade"- slideshow and video -background.

"Living room painting 1"- featured

"Living room painting 2"-featured

"Living room painting 3"-featured

"Living room painting 4"-featured

"Living room painting 5"-featured

"Stairway pottery 3"- featured

"Handsewn Pillow 2"- featured

"Interior Design Wall Hanging 2"- featured

"Interior Design Wall Hanging 3"- featured

Other artwork:

Andy Barron (Associated Press)-Photograph of Leah Bassett- background

Kara Taylor- "Quiet Dignity" - background